

18379
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U.S. PTO

PTO/SB/05 (2/98)

Approved for use through 09/30/2000. OMB 0651-0032

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Please type a plus sign (+) inside this box →



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UTILITY PATENT APPLICATION TRANSMITTAL

Attorney Docket No. 2003-0176.02/4670-251

First Inventor or Application Identifier David S. MacMillan

Title **Electrophotographic Toner Regulating Member With
Polymer Coating Having Surface Roughness Modified By
Fine Particles**

(Only for new nonprovisional applications under 37 CFR § 1.53(b))

Express Mail Label No. EV 368752205 US

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO: Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

1. ☒ *Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)
2. ☒ Specification [Total Pages 29]
(preferred arrangement set forth below)
 - Descriptive title to the Invention
 - Cross References to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to Microfiche Appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
3. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 8]
4. ☒ Oath or Declaration [Total Pages 5]
 - a. ☒ Newly executed (original or copy)
 - b. ☐ Copy from a prior application (37 C.F.R. § 1.63(d))
(for continuation/divisional with Box 17 completed)
[Note Box 5 below]
 - i. ☐ DELETION OF INVENTOR(S)
Signed statement attached deleting
inventor(s) named in the prior application,
see 37 C.F.R. §§ 1.63(d)(2) and 1.33(b).
 - ☐ Incorporation By Reference (useable if Box 4b is checked)
The entire disclosure of the prior application, from which a
copy of the oath or declaration is supplied under Box 4b,
is considered as being part of the disclosure of the
accompanying application and is hereby incorporated by
reference therein.

6. ☐ Microfiche Computer Program (Appendix)
7. Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary)
 - a. ☐ Computer Readable Copy
 - b. ☐ Paper Copy (identical to computer copy)
 - c. ☐ Statement verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

8. ☒ Assignment Papers (cover sheet & document(s))
9. ☐ 37 C.F.R. § 3.73(b) Statement ☒ Power of Attorney
(when there is an assignee)
10. ☐ English Translation Document (if applicable)
11. ☒ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS
Citations
12. ☐ Preliminary Amendment
13. ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
14. ☐ *Small Entity ☐ Statement filed in prior application,
Statement(s) Status still proper and desired
15. ☐ Certified Copy of Priority Document(s)
(if foreign priority is claimed)
16. ☒ Other: Express Mail Certification

***NOTE FOR ITEMS 1 & 14: IN ORDER TO BE
ENTITLED TO PAY SMALL ENTITY FEES, A SMALL
ENTITY STATEMENT IS REQUIRED (37 C.F.R.
§ 1.27), EXCEPT IF ONE FILED IN A PRIOR
APPLICATION IS RELIED UPON (37 C.F.R. § 1.28).**

17. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information below and in a preliminary statement:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No: _____ / _____
Prior application information: Examiner: Group/Art Unit: _____

18. CORRESPONDENCE ADDRESS

☐ Customer Number

or ☒ Correspondence address below

NAME LEXMARK INTERNATIONAL, INC.

ATT: JOHN J. McARDLE, JR.

ADDRESS 740 WEST NEW CIRCLE ROAD

CITY LEXINGTON

STATE KY

ZIP CODE 40550

COUNTRY USA

TELEPHONE 859-232-3939

FAX

Name (Print/Type) John R. Owen

Registration No. (Attorney/Agent)

42,055

Signature

Date

March 25, 2004

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 11313-1450.

22857 U.S. PTO
10/809123

032504

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FEE TRANSMITTAL

Patent fees are subject to annual revision on October 1

These are the fees effective December 29, 1999.

Small Entity payments must be supported by a small entity statement.
otherwise large entity fees must be paid. See Forms PTO/SB/09-12.

See 37 C.F.R. §§ 1.27 and 1.28.

TOTAL AMOUNT OF PAYMENT (\$1,260.00)

Complete if Known

| | |
|----------------------|-----------------------|
| Application Number | TBA |
| Filing Date | |
| First Named Inventor | David S. MacMillan |
| Examiner Name | TBA |
| Group Art Unit | TBA |
| Attorney Docket No. | 2003-0176.02/4670-251 |

METHOD OF PAYMENT (check one)

- 1.
- ☒
- The Commission is hereby authorized to charge indicated fees and credit any over payments to:

Deposit
Account
Number

18-1167

Deposit
Account
Name

Coats & Bennett, P.L.L.C.

☒ Charge Any Additional
Fee Required Under
37 CFR §§1.16 and 1.17☐ Charge the Issue Fee Set in
37 CFR §1.18 at the Mailing of the
Notice of Allowance

- 2.
- ☒
- Payment Enclosed:

☒ Check ☐ Money Order ☐ Other**FEE CALCULATION****1. BASIC FILING FEE**

| Large Fee Code | Entity Fee (\$) | Small Fee Code | Entity Fee (\$) | Fee Description | Fee Paid |
|----------------------|-----------------------|----------------------|-----------------------|------------------------|-------------------|
| 101 | 770 | 201 | 345 | Utility filing fee | 770.00 |
| 106 | 310 | 206 | 155 | Design filing fee | |
| 107 | 480 | 207 | 240 | Plant filing fee | |
| 108 | 760 | 208 | 380 | Reissue filing fee | |
| 114 | 150 | 214 | 75 | Provisional filing fee | |
| SUBTOTAL (1) | | | | | (\$770.00) |

2. EXTRA CLAIM FEES

| | Extra Claims | Fee from below | Fee Paid |
|---------------------------|--------------|----------------------|----------|
| Total Claims | 45 | -20** = 25 X 18.00 = | 450.00 |
| Independent Claims | 3 | -3** = 0 X 86.00 = | 0.00 |
| Multiple Dependent Claims | | | |

** or number previously paid, if greater; For Reissues, see below

| Large Fee Code | Entity Fee (\$) | Small Fee Code | Entity Fee (\$) | Fee Description |
|--------------------------------|-----------------------|----------------------|-----------------------|--|
| 103 | 18 | 203 | 9 | Claims in excess of 20 |
| 102 | 78 | 202 | 39 | Independent claims in excess of 3 |
| 104 | 260 | 204 | 130 | Multiple dependent claim |
| 109 | 78 | 209 | 39 | **Reissue Independent claims over original patent |
| 110 | 18 | 210 | 9 | **Reissue claims in excess of 20 and over original patent |
| SUBTOTAL (2) (\$450.00) | | | | |

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

| Large Fee Code | Entity Fee (\$) | Small Fee Code | Entity Fee (\$) | Fee Description | Paid |
|----------------------|-----------------------|----------------------|-----------------------|---|-------|
| 105 | 130 | 205 | 65 | Surcharge - late filing fee or oath | |
| 127 | 50 | 227 | 25 | Surcharge - late provisional filing fee or cover sheet | |
| 139 | 130 | 139 | 130 | Non-English specification | |
| 147 | 2,520 | 147 | 2,520 | For filing a request for reexamination | |
| 112 | 920* | 112 | 920* | Requesting publication of SIR prior to Examiner action | |
| 113 | 1,840* | 113 | 1,840* | Requesting publication of SIR after Examination action | |
| 115 | 110 | 215 | 55 | Extension for reply within first month | |
| 116 | 380 | 216 | 190 | Extension for reply within second month | |
| 117 | 870 | 217 | 435 | Extension for reply within third month | |
| 118 | 1,360 | 218 | 680 | Extension for reply within fourth month | |
| 128 | 1,850 | 228 | 925 | Extension for reply within fifth month | |
| 119 | 300 | 219 | 150 | Notice of Appeal | |
| 120 | 300 | 220 | 150 | Filing a brief in support of an appeal | |
| 121 | 260 | 221 | 130 | Request for oral hearing | |
| 138 | 1,510 | 138 | 1,510 | Petition to institute a public use proceeding | |
| 140 | 110 | 240 | 55 | Petition to revive - unavoidable | |
| 141 | 1,210 | 241 | 605 | Petition to revive - unintentional | |
| 142 | 1,210 | 242 | 605 | Utility issue fee (or reissue) | |
| 143 | 430 | 243 | 215 | Design issue fee | |
| 144 | 580 | 244 | 290 | Plant issue fee | |
| 122 | 130 | 122 | 130 | Petitions to the Commissioner | |
| 123 | 50 | 123 | 50 | Petitions related to provisional applications | |
| 126 | 240 | 126 | 240 | Submission of Information Disclosure Stmt. | |
| 581 | 40 | 581 | 40 | Recording each patent assignment per property (times number of properties) | 40.00 |
| 146 | 760 | 246 | 380 | Filing a submission after final rejection (37 CFR 1.129(a)) | |
| 149 | 760 | 249 | 380 | For each additional invention to be examined (37 CFR 1.129(b)) | |

Other fee (specify)

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$40.00)**SUBMITTED BY**Typed or
Printed Name John R. Owen

Signature



Date

March 25, 2004

Complete (if applicable)

Reg. Number 42,055

Deposit Account
User ID 18-1167

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

MacMillan, et al.

Serial No.: Unknown

Filed:

Title: **ELECTROPHOTOGRAPHIC TONER
REGULATING MEMBER WITH POLYMER
COATING HAVING SURFACE ROUGHNESS
MODIFIED BY FINE PARTICLES**

Attorney's Docket No: 2003-0176.02/4670-251

**EXPRESS MAIL CERTIFICATION
LABEL NO.: EV 368752205 US**

Raleigh, North Carolina
March 25, 2004

MAIL STOP PATENT APPLICATION
COMMISSIONER FOR PATENTS
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450

Sir:

EXPRESS MAIL CERTIFICATE LABEL NO.: EV 368752205 US


DATE MAILED: March 25, 2004

I hereby certify that the enclosed US Utility Patent Application Transmittal Form, Fee Transmittal Form (2 Copies), specification and claims, drawings (1 set of 8 sheets), Declaration and Power of Attorney, Assignment and Recordation Sheet, Information Disclosure, and our check number 11524 in the amount of \$1,260.00 are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated above and is addressed to: **Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

Respectfully submitted,

COATS & BENNETT, P.L.L.C.

By:



John R. Owen
Registration No. 42,055

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